

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

ANTONIO ORPIADA,

Petitioner,

vs.

E. K. MCDANIEL, et al.,

Respondents.

Case No. 3:11-CV-00013-RCJ-(VPC)

**ORDER**

Petitioner has paid the filing fee (#4). The court has reviewed his petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254 and his motion for appointment of counsel. The court concludes that counsel would be of assistance in this matter.

IT IS THEREFORE ORDERED that the clerk of the court file the petition and the motion for appointment of counsel.

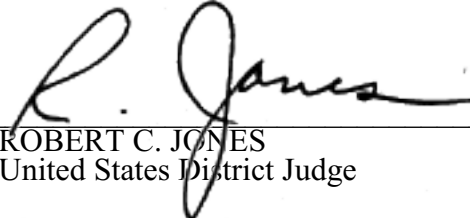
IT IS FURTHER ORDERED that petitioner's motion for appointment of counsel is **GRANTED**. The Federal Public Defender is provisionally appointed to represent petitioner.

IT IS FURTHER ORDERED that the Federal Public Defender shall have thirty (30) days from the date that this order is entered to undertake direct representation of petitioner or to indicate to the court her inability to represent petitioner in these proceedings. If the Federal Public Defender does undertake representation of petitioner, she shall then have sixty (60) days to file an amended petition for a writ of habeas corpus. If the Federal Public Defender is unable to represent petitioner, then the court shall appoint alternate counsel.

1 IT IS FURTHER ORDERED that the clerk shall add Catherine Cortez Masto,  
2 Attorney General for the State of Nevada, as counsel for respondents.

3 IT IS FURTHER ORDERED that the clerk shall electronically serve both the  
4 Attorney General of the State of Nevada and the Federal Public Defender a copy of the petition and  
5 a copy of this order.

6 Dated: This 30th day of March, 2011.

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9 ROBERT C. JONES  
United States District Judge